

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicants have amended claims 1-8, 10-13 and 19; and claims 9 and 20 have been canceled. Accordingly, claims 1-8, 10-19 and 21-22 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 101

The Examiner rejected claims 1-22 under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. The Applicants have amended the claims to direct the claimed invention toward statutory subject matter. The Examiner's consideration of the amended claims is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 102(e)

The Examiner rejected claims 1-22 under 35 U.S.C. § 102(e) as being anticipated by Gouge, et al. (US 6,931,429). The Applicants have amended claims 1-8, 10-13 and 19 to better distinguish the claimed invention from Gouge. Claims 9 and 20 have been canceled. Gouge discloses a system and method for dynamic delivery of services and applications from a server to a mobile computing device in a wireless proximity framework. According to Gouge, this wireless proximity framework allows users of mobile computing devices to dynamically access services and applications available in a given geographic area without pre-installing software for each service or application. Also, the wireless proximity framework is said to allow developers to more quickly and easily adapt existing non-wireless services for use by heterogeneous mobile computing devices. Still further, the wireless proximity framework allows for services and applications to be delivered in a customized manner to each mobile computing device. Gouge necessarily requires interactions between a server and the mobile device, whereas in the present invention, all of the interactions occur on the mobile device itself.

Examiner cites col. 9, lines 27-35 of Gouge as showing the framework domain. However, there is no correlation between the framework domain of Gouge and the software application framework adapted to provide a high-level application-domain environment in a mobile equipment of the present invention. Examiner further cites col. 14, lines 1-67 (the entire column). This column discloses a client platform adaptation layer 510, client application 55, client framework layer 530, UI layer 520, client 50, client communication layer 540, PNS communication layer 550, PNS application layer 580, translation layer 560, and PNS platform adaptation layer 590. The PNS comprises a server outside of the mobile platform. Because the elements of Gouge have not been mapped to the present invention in the Office Action, nor has the functionality of Gouge been mapped to the present invention, Applicant is left to guess as to how the elements of Gouge are equated to the present invention. As best as can be determined, the framework interface domain of the present invention is equated to the client framework layer 530, the first application entity is equated to client application 55 and the second application entity is equated to the application server software. These are elements in the mobile device and in the server of Gouge, whereas all of the elements of the present invention reside in the mobile device. Referring to claims 2 and 13, the utility entity is equated to either the client UI layer or the communication layer as is the plug-in entity. Again, in Gouge, these are elements from a server and from a mobile device.

Applicant has restricted the scope of independent claims 1 and 12 by limiting the software application domain to having a rulebook for the application domain (supported at page 7 of the present application), and the middleware component comprising an open platform API (OPA) (supported at page 6 of the present application).

The Examiner's consideration of the amended claims is respectfully requested.

4.) Prior Art Not Relied Upon

In paragraph 5 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicants' disclosure. Neither of the additional references, alone or together, disclose or suggest the present invention.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-8, 10-19 and 21-22.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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